

REMARKS

In the Office Action, claim 1 is provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of co-pending U.S. Patent Application Serial No. 10/566,378. Claim 1 is further rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,757,533 to Lampela et al. (“Lampela”) in view of U.S. Patent no. 6,826,173 to Kung et al. (“Kung”). Additionally, claim 1 is objected to for having informalities, certified copies of the foreign applications upon which priority is claimed is requested, and the drawings and the specification are objected to for non-compliance with various patent rules.

In this response, a substitute specification and replacement drawing sheet are provided. Claim 1 has been cancelled without prejudice or disclaimer of the subject matter recited therein. Claims 2-39 were previously cancelled. New claims 40-63 have been added. Claims 40-63 will be pending upon entry of this amendment. No new matter has been added.

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

Priority Documents:

The Examiner has acknowledged Applicant’s claim for foreign priority, however, notes that certified copies of the German patent applications upon which priority is claimed have not been received. Applicant respectfully submits that the present application is the National Stage Entry of PCT/DE2004/001664, and thus the certified copies of the foreign applications from which the application claims priority should be provided by the International Bureau of WIPO. Withdrawal of the request for certified documents is respectfully requested.

Objection to the Drawings:

The drawings are objected to for including shaded/colored blocks. Specifically, the Examiner notes that Figure 6 includes shaded/colored blocks. As noted above, Applicant has

attached a replacement drawing sheet including a new Figure 6 without shaded/colored blocks. No new matter has been added. Withdrawal of the objection to the drawings is respectfully requested.

Objection to the Claims:

Claim 1 is objected to for having informalities. As noted above, claim 1 has been cancelled without prejudice or disclaimer of the subject matter recited therein, rendering the objection moot. Withdrawal of the objection to claim 1 for having informalities is respectfully requested.

Objection to the Specification:

The specification is objected to for having various informalities. Specifically, the Examiner notes that the title is not descriptive, the specification does not have an abstract, and various other formality problems under 37 C.F.R. §1.72(a). As noted above, Applicant has amended the title and the abstract to address these objections. Further, Applicant has attached a substitute specification in response to the objections and to better conform the application to U.S. practice. No new matter has been added. Withdrawal of the objections to the specification is respectfully requested.

Double Patenting Rejection:

Claim 1 is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of copending Application No. 10/566,378. As noted above, claim 1 has been cancelled, rendering the rejection moot.

Withdrawal of the provisional rejection to claim 1 on the ground of nonstatutory obviousness-type double patenting is respectfully requested.

Rejection to Claim 1 under 35 U.S.C. §103(a):

Claim 1 is rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,757,533 to Lampela et al. (“Lampela”) in view of U.S. Patent no. 6,826,173 to Kung et al.

(“Kung”). As noted above, claim 1 has been cancelled, rendering the objection moot. Withdrawal of the rejection to claim 1 under 35 U.S.C. §103(a) based on Lampela and Kung is respectfully requested.

New Claims:

New claims 40-63 have been added. Support for the claims can be found in the originally filed disclosure. Independent claim 40 recites the steps of:

sending query data from the additional information device to the second user station;

receiving a response signal associated with the second user station generated in response to the query data, the response signal indicating whether the second user station is ready to receive the addition information.

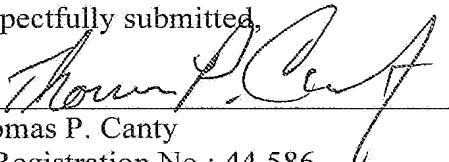
It is respectfully submitted that the cited references, alone or in combination, do not suggest or teach at least these features of the new independent claim 40. Further, independent claims 51, 59, 61 and 62 include limitations similar to the above described limitation recited in independent claim 40. Accordingly, it is respectfully submitted that claims 40-63 are patentable over the cite references and are in condition for allowance.

**CONCLUSION**

In view of the above amendment and remarks, Applicant believes the pending application is in condition for allowance.

Dated: August 14, 2008

Respectfully submitted,

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